

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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2022 OCT 28 PM 3:05

DAVID Frazier

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

LYNN LILEY

(List the full name(s) of the defendant(s)/respondent(s).)

18 cv 7240 (NSR)JCM

**MOTION FOR EXTENSION  
OF TIME TO FILE NOTICE  
OF APPEAL**

I move under Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time to file a notice of appeal in this action. I would like to appeal the judgment

entered in this action on 10/25/22 but did not file a notice of appeal within the required  
date

time period because:

I was released on October 13, 2022 from Woodbourne Correctional Facility. On October 25, 2022 the notice of appeal was forwarded to the petitioner at parole address.  
(Explain here the excusable neglect or good cause that led to your failure to file a timely notice of appeal.)

October 25, 2022

Dated:

David Frazier

Signature

Frazier David

Name (Last, First, MI)

70 Johnes St. #326 Newburgh N.Y 12550

Address

City

State

Zip Code

Telephone Number

E-mail Address (if available)

The Court grants Petitioner Frazier the extension of time to file the Notice of Appeal, which Petitioner appears to have already filed on the docket (see ECF No. 28). The Clerk of the Court is kindly directed to terminate the motion at ECF No. 27 and to mail a copy of this order to *pro se* Petitioner at the address on the docket and to show service on the docket.

Rev. 3/27/15

Dated: November 3, 2022  
White Plains, NY

**SO ORDERED:**

[Signature]  
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/3/2022

MEMO ENDORSED